



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
MEARS)
Serial No. 10/717,370) Examiner: Nadine G. Norton
Confirmation No. 6723)
Filing Date: November 19, 2003) Art Unit: 1765
For: METHOD FOR MAKING) Attorney Docket: 62603_CON2
SEMICONDUCTOR DEVICE)
INCLUDING BAND-ENGINEERED)
SUPERLATTICE)

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant responds to the Notice of Non-Compliant Amendment under 37 CFR 1.121, mailed June 9, 2004, which stated that a complete listing of all claims was not present, notably the listing that Claims 1-76 had been previously cancelled. Applicant submits a new Amendment that substitutes for the old Amendment. Although the previously filed Amendment contained the notation "Please cancel Claims 1 to 76" on page 4, the new Amendment now recites specifically the status of Claims 1-76 (canceled).

No fees are necessary because Applicant was given a one-month period of time to respond. Although only the corrected section of the Non-Compliant Amendment must be

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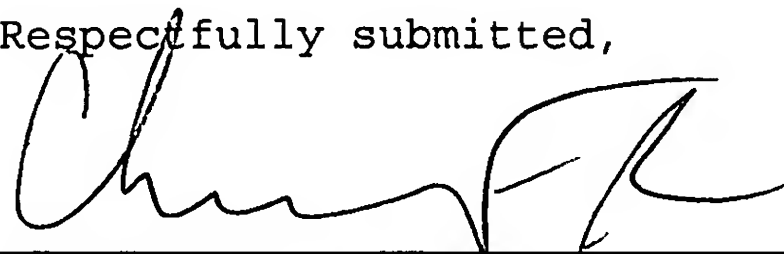
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resubmitted (in its entirety), e.g., the entire "amendments to the claims" section, Applicant has submitted the entire Amendment with the corrected format for purposes of consistency.

If the Examiner has any questions, the undersigned attorney would appreciate a telephone call.

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 16th day of June, 2004.

